

MAR 06 2006

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VIA Facsimile 31 PAGES (Including This Cover)**BEST AVAILABLE COPY**

Commissioner for Patents  
MAIL STOP: Amendment

POB 1450, Alexandria, Virginia 22313-1450

TRANSMITTED TO USPTO MAIN FACSIMILE NO. 571-273-8300

RE: K.Aota, *et al.*, US Appl'n No. 10/600,616  
Att'y Docket No. 503.35255VX5  
Examiner Robert Canfield, AU 3635,  
USPTO Conf. No. 6834

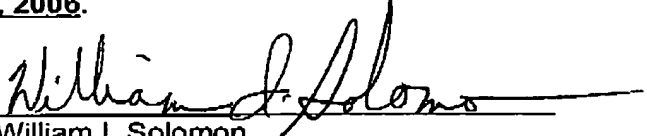
**SUBMISSION OF:** Response To Notice Of Non-Compliant Amendment (3 pgs.);  
Substitute for Form 1449A/PTO (2 pgs.); and 7 cited  
documents (25 pgs.).

Sir:

Applicants hereby submit the attached Response To Notice Of Non-Compliant  
Amendment (3 pgs.); Substitute for Form 1449A/PTO (2 pgs.); and 7 cited  
documents (25 pgs.), for entry in the above-noted application.

**CERTIFICATE OF TRANSMISSION:**

I hereby certify that the attached Response To Notice Of Non-Compliant  
Amendment (3 pgs.); Substitute for Form 1449A/PTO (2 pgs.); and 7 cited  
documents (25 pgs.), are being **FORMALLY TRANSMITTED** via the USPTO Main  
Facsimile No. 571-273-8300 on March 6, 2006.

  
William I. Solomon

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MAR 06 2006

503.35255VX5

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. AOTA, et al.  
Serial No.: 10/600,616  
Filed: June 23, 2003  
Title: FRICTION STIR WELDING MEMBER  
Group AU: 3635  
Examiner: Robert Canfield  
Confirmation No.: 6834

**BEST AVAILABLE COPY****RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT****Mail Stop: AMENDMENT – NO FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

March 6, 2006

SIR:

The Communication from the Examiner mailed February 6, 2006, in the above-identified application, is noted. In this Communication, the Examiner contends that the Amendment filed July 29, 2005, is not fully responsive, in that Applicants have failed to address the information missing from the IDS (Information Disclosure Statement) of June 23, 2003, noted on page 2 of the prior Office Action mailed April 29, 2005.

This IDS of June 23, 2003, was filed upon originally filing the above-identified application. It is to be noted that the documents listed on the Form enclosed with the IDS submitted upon initially filing the above-identified application were documents considered by the Examiner in a prior application of the above-identified application, that is, Application No. 08/820,231, filed March 18, 1997. Thus, according to the pertinent rules of the USPTO (note especially 37 C.F.R. 1.98(d)), copies of the listed documents need not have been submitted with the IDS.

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Docket No. 503.35255VX5

Serial No. 10/600,616

March 6, 2006

It is recognized, however, that the Examiner indicates that various of the listed documents, designated by numbers 1 – 7, 9, 11 and 13 under the non-patent literature section on the initialed document list enclosed with the prior Office Action mailed April 29, 2005, were not found in the electronic file and were not readily available to the Examiner for consideration. Copies of such citations readily available to the undersigned are enclosed herewith; these citations are numbers 1, 3 – 7 and 9, of the numbered list enclosed with the Office Action mailed April 29, 2005. It is respectfully requested that the Examiner consider the enclosed documents consistent with the pertinent rules and regulations of the USPTO, noting particularly 37 C.F.R. 1.97 and 1.98.

Also enclosed herewith are substitutes for sheets 1 and 2 of Form 1449A/PTO submitted with the IDS of June 23, 2003, providing the month, in addition to the year, of listed documents; and also correcting a Foreign Patent Document to be "EP" (rather than JP) 579 500 A1 .

The comment by the Examiner in Item 2 on page 2 of the Office Action mailed April 29, 2005, that 37 C.F.R. 1.98(a)(2) requires a legible copy of each cited foreign patent document, each non-patent literature publication or that portion which caused it to be listed, and all other information or that portion which caused it to be listed, is noted. It is respectfully submitted, however, that the above-identified application is a Continuing application, and Applicants need not submit copies of the listed documents previously considered by the Examiner, noting 37 C.F.R. 1.98(d).

Consideration of the present Response together with the Amendment submitted July 29, 2005, as a complete response to the Office Action mailed April 29, 2005; and further examination of the above-identified application in due course, are respectfully requested.

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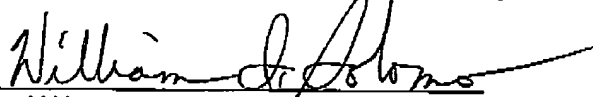
Docket No. 503.35255VX5  
Serial No. 10/600,616  
March 6, 2006

Applicants request any shortage of fees due in connection with the filing of this paper be charged to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case 503.35255VX5), and credit any excess payment of fees to such Deposit Account.

Respectfully submitted,

**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

By



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